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PATENT  
ATTORNEY DOCKET NO. 00786/345001

Date of Deposit

January 13, 1997

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Lisa Fothergill  
(Type or print name of person mailing paper or fee)Lisa Fothergill  
(Signature of person mailing paper or fee)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Brian Seed et al.

Art Unit:

Serial No.: 08/717,294

Examiner:

Filed : September 20, 1996

Title : HIGH LEVEL EXPRESSION OF PROTEINS

Assistant Commissioner of Patents and Trademarks

Washington, DC 20231

DECLARATION OF MS. SUSAN M. CUFFE

1. I am an Executive Secretary at The General Hospital Corporation, the assignee of the above-identified patent application.

2. I have made a diligent effort to reach Jurgen Haas, a named joint inventor of this application. In particular, I initially sent Dr. Haas a facsimile but received no answer. I then tried to reach Dr. Haas by telephone but was unsuccessful. Lastly, I sent Dr. Haas a package by International Federal Express. Federal Express contacted me and informed me that Dr. Haas no longer lived at that address and that no forwarding address was available.

3. The last known address of Dr. Haas was Huberweg 13, 69198 Schriesheim, Germany.

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

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punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Date: 12/31/96

Susan M. Cuffe  
Susan M. Cuffe

960260-4627280



PATENT  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Brian Seed et al.  
Serial No.: 08/717,294  
Filed : September 20, 1996  
Title : HIGH LEVEL EXPRESSION OF PROTEINS

Art Unit:  
Examiner:

Assistant Commissioner of Patents and Trademarks  
Washington, DC 20231

DECLARATION OF DR. BRIAN SEED

1. I am a named inventor on the above-identified patent application.
2. As indicated in the accompanying copy of my Combined Declaration and Power of Attorney, I have declared that I am an original, first, and joint inventor of the subject matter which is claimed in this application and for which a patent is sought.
3. The other named inventor on the above-identified application, Jurgen Haas, is no longer working in my laboratory.
4. His last known address was Huberweg 13, 69198 Schriesheim, Germany.
5. It is my understanding that representatives of the General Hospital Corporation (the assignees of this application) have diligently tried to reach Dr. Haas at this address, but have been unsuccessful.
6. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

960260-4627280

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Date: December 27, 1996

Brian Seed  
Brian Seed

firm-new\00786-345001 Petitions and Declarations

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COMBINED DECLARATION AND POWER OF ATTORNEY



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled HIGH LEVEL EXPRESSION OF PROTEINS, the specification of which

☐ is attached hereto.

☒ was filed on September 20, 1996 as Application Serial No. 08/717,294  
and was amended on \_\_\_\_\_.

☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Anita L. Meiklejohn, Reg. No. 35,283; Karen F. Lech, Reg. No. 35,238; William E. Booth, Reg. No. 28,933; Barry E. Bretschneider, Reg. No. 28,055; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; Alan H. Gordon, Reg. No. 26,168; John F. Land, Reg. No. 29,554; John B. Pegram, Reg. No. 25,198; Rene D. Tegtmeier, Reg. No. 33,567; Hans R. Troesch, Reg. No. 36,950; Dorothy P. Whelan, Reg. No. 33,814; Charles C. Winchester, Reg. No. 21,040.

Address all telephone calls to Anita L. Meiklejohn at telephone number 617/542-5070.

Address all correspondence to Paul T. Clark, Reg. No. 30,162, Fish & Richardson P.C., 225 Franklin Street, Boston, MA 02110-2804.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Brian Seed

Inventor's Signature: [Signature] Date: Nov. 15, 1996

Residence Address: Boston, MA

Citizen of: USA

Post Office Address: Nine Hawthorne Place, Apt. 5J, Boston, MA 02114

COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

Full Name of Inventor: Jurgen Haas

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence Address: Schriesheim, Germany

Citizen of: Germany

DEX

Post Office Address: Huberweg 13, 69198 Schriesheim, Germany

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Substitute Form PTO-1595

Attorney Docket Number: 00786/345001

Certificate of Mailing: Date of Deposit January 13, 1997

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Lisa Fothergill  
Name

Lisa Fothergill  
Signature

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

Commissioner of Patents & Trademarks: Please record the attached document.

1. Names of all conveying parties:

Brian Seed

Additional names attached: NO

2. Names and addresses of all receiving parties:

The General Hospital Corporation  
55 Fruit Street  
Boston, MA 02114

Additional names/addresses attached: NO

3. Nature of conveyance:

- ☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other: \_\_\_\_\_

Execution Date: November 15, 1996

4. Application numbers or patent numbers:

A. Patent Application Numbers:

08/717,294

B. Patent Numbers:

5. Name and address of party to whom correspondence concerning document should be mailed:

Karen Lech Elbing, Reg. No. 35,238  
Clark & Elbing LLP  
585 Commercial Street  
Boston, MA 02109

6. Total number of applications/patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

- ☒ Fee enclosed  
☐ Authorized to charge deposit account

8. Deposit account number: 03-2095. If the fee above is being charged to deposit account, a duplicate copy of this cover sheet is attached. Please apply any additional charges, or any credits, to Deposit Account No. 03-2095.

DO NOT USE THIS SPACE

9. Statement and signature: *To the best of my knowledge and belief, the foregoing information is true and correct and the attached is the original document.*

KAREN LECH ELBING  
Name of person signing

Karen Lech Elbing  
Signature

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40.00 CK

13 January 1997  
Date

ASSIGNMENT

For valuable consideration, we, Brian Seed, of Boston, Massachusetts; and Jurgen Haas of Schriesheim, Germany hereby assign to THE GENERAL HOSPITAL CORPORATION, a MASSACHUSETTS corporation having a place of business at 55 Fruit Street, Boston, MA 02114, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by us, entitled HIGH LEVEL EXPRESSION OF PROTEINS, filed September 20, 1996, and assigned U.S. Serial Number 08/717,294, and we authorize and request the attorneys appointed in said application to hereafter complete this assignment by inserting above the filing date and serial number of said application when known; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Boston, Massachusetts,

this 15<sup>th</sup> day of November, 1996

Brian Seed L.S.  
BRIAN SEED

STATE OF Massachusetts:  
:SS.

COUNTY OF Suffolk:

Before me this 15 day of November, 1996, personally appeared

Brian Seed known to me to be the person whose name is subscribed to the foregoing Assignment, and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

Martha K. Ernst  
Notary Public

My Commission Expires: 12/13/96

[Notary's Seal Here]



IN WITNESS WHEREOF, I heretofore put my hand and seal at \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

L.S.

JURGEN HAAS

STATE OF \_\_\_\_\_:

:SS.

COUNTY OF \_\_\_\_\_:

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, personally appeared

\_\_\_\_\_ known to me to be the person whose name is subscribed to the  
foregoing Assignment, and acknowledged that he/she executed the same as his/her free act and deed  
for the purposes therein contained.

\_\_\_\_\_  
Notary Public

My Commission Expires:

[Notary's Seal Here]

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